

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

MAY 29 2015

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

United States of America)

v.)

DARIUS KIOWA PERKINS)

Case No: 4:96CR30029-001

USM No: 06246-084

Date of Previous Judgment: 01/31/1997)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 420 months months is reduced to 322 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 42

Amended Offense Level: 36

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 360 to life months

Amended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Defendant is sentenced to 322 months, but not less than time served. Defendant's sentence consists of 262 months on Count 1 and 60 months on COunt 12, to be served consecutively.

Except as provided above, all provisions of the judgment dated 01/31/1997 shall remain in effect.

IT IS SO ORDERED.

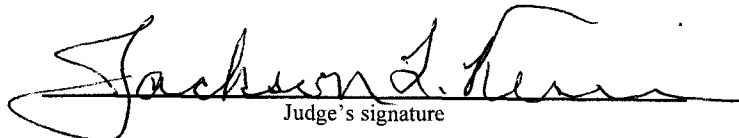
Order Date:

5/29/2015

Effective Date:

11/01/2015

(if different from order date)


 Judge's signature

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title